

## Amendment to Agreement for Full Fixed Based Operator's Contract and Lease

Whereas, the City of DeKalb ("City"), and DeKalb Aviation, LLC, an Illinois Limited Liability Company ("FBO"), entered into a nonexclusive agreement for Full Fixed Based Operator's Contract and Lease on November 1, 2008 with a term through January 31, 2021;

Whereas, the Agreement incorrectly identified DeKalb Aviation LLC as DeKalb Aviation, Inc., an Illinois Corporation;

Whereas, the Parties wish to amend the Agreement to reflect the correct legal entity of the FBO;

It is hereby agreed by and between the parties that the Agreement for Full Fixed Based Operator's Contract and Lease is amended in Section 28 to provide that Jeffrey Kohlert shall act as managing director of DeKalb Aviation, LLC.

It is hereby agreed by and between the parties that the agreement for Full Fixed Based Operator's Contract and Lease is hereby amended to provide that the Fixed Based Operator is DeKalb Aviation, LLC, an Illinois Limited Liability Company.

This amendment, and the original Agreement for Fixed Based Operator's Contract and Lease if requested by the City, shall be executed by those persons in authority to sign on behalf of DeKalb Aviation, LLC, those persons being, Mark Riggsby, Administrative Member of the Company, Edward Kling, Administrative Member of the Company and Jeffrey Kohlert, Managing Director of the Company.

With the exception of the above identified modification and amendments, all terms and conditions of the agreement for Full Fixed Based Operator's Contract and Lease entered into between the City and the FBO on November 1, 2008, remain unchanged, and in full force and effect.

Signed this 13TH day of JULY, 2009  
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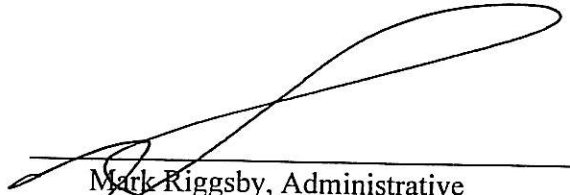
By: the City of DeKalb, a municipal corporation

Signed this 13TH day of JULY, 2009  
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By: DeKalb Aviation, LLC



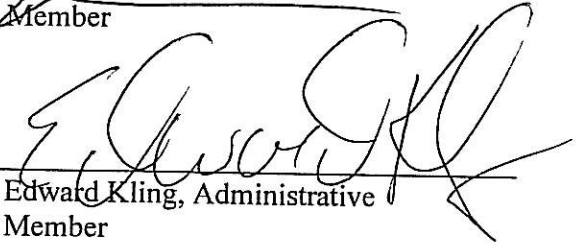
Kris Povlsen, Mayor



Mark Riggsby, Administrative  
Member



Steve Kapitan, City Clerk



Edward Kling, Administrative  
Member



Jeffrey Kohler, Managing  
Director

Prepared by:  
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815/459-8440

RESOLUTION 09-43

Passed July 13, 2009

**AUTHORIZING THE MAYOR OF THE CITY OF DEKALB, ILLINOIS TO ENTER INTO AN AMENDMENT TO THE FIXED BASE OPERATOR CONTRACT AND LEASE AGREEMENT WITH DEKALB AVIATION, LLC, AT THE DEKALB TAYLOR MUNICIPAL AIRPORT.**

**WHEREAS**, on January 9, 2006 the City of DeKalb entered into a Fixed Base Operator Contract and Lease Agreement with J.A. Air Center, Inc., for a fifteen year period; and,

**WHEREAS**, on October 27, 2008 said contract/lease was assigned to DeKalb Aviation, LLC by resolution of the city council and execution by the Acting Mayor of the City of DeKalb; and,

**WHEREAS**, an amendment is necessary to accurately reflect the current organizational structure of the company: now,

**THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL** of the City of DeKalb, Illinois, as follows:

**Section 1.** That the Mayor of the City of DeKalb be authorized and directed to execute an amendment to the assigned Full Fixed Base Operator Contract and Lease Agreement with DeKalb Aviation, LLC, at the DeKalb Taylor Municipal Airport for the period from November 1, 2008 through January 31, 2021, a copy of which is attached hereto and made a part hereof as Exhibit "A".

**Section 2.** That the City Clerk of the City of DeKalb be authorized and directed to attest the Mayor's signature.

**PASSED BY THE CITY COUNCIL** of the City of DeKalb, Illinois at a regular meeting thereof held on the 13<sup>th</sup> day of July, 2009 and approved by me as Mayor on the same day. Consent Agenda roll call vote 7-0-1. Aye: Simpson, Teresinski, Wogen, Gallagher, Naylor, Baker, Povlsen. Absent: Keller.

ATTEST:

  
STEVEN C. KAPITAN, City Clerk



  
KRIS POVLSSEN, Mayor